



## **RHODE ISLAND SCHOOL FOR THE DEAF**

BOARD OF TRUSTEES

One Corliss Park

Providence, RI 02908

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### **MEETING MINUTES – General Meeting**

**Date:** February 26, 2015

**Time: Minutes recorded by:** Helen Edwards

**Minutes approved on: June 2, 2015**

#### **Interpreters: Call to Order:**

- a. Board Chairperson Amanda Montgomery called the meeting of the RI School for the Deaf Board of Trustees to order at 6:09 pm in the Cafeteria of the School for the Deaf.

- **Roll Call of Board of Trustees**

b. In Attendance: Amanda Montgomery, Jodi Merryman, Jonathan Henner, Jane Newkirk, Heather Niedbala, Danielle Loughlin Joseph Fischgrund, Nora Meah, Lindsey Medeiros

**Attendance:** Also in attendance were Sara Rapport, Attorney for Administration, John Anderson, Attorney for the Board, Mr. Chris Cobleigh, Union Attorney and representative for the Teacher's Union

c. **Excused:** n/a

#### **Public Comment:**

- There was no public comment..

- **Acceptance of Previous Meeting Minutes:**

- January 6, 2015- General Meeting Minutes Approved by consensus with minor changes.

- **Reports:**

- Report of the Board of Trustees Chair:

- Chairperson Montgomery introduced Nora Meah as our new member to the Board. Nora's resume is in everyone's packet.
- Chairperson Montgomery stated that no ASL interpreters were available despite attempts to locate them. Discussion ensued as to how the meeting should proceed. The decision was made by Chairperson Montgomery to continue the meeting with reliance on CART reporting, rather than reschedule an emergency meeting the next night. Assistant Director Wu received a text at 6:15 that an interpreter was located and would arrive by 6:30pm.
- Ms. Rapport informed the Board that both Marion Meadows and Toby Liebowitz requested Open Session, when given a choice, concerning their personnel status.
- Chairperson Montgomery stated she would wait until the March 3rd meeting to provide update on the Board of Trustees recruitment efforts. She also reminded

the Board members of the Kick-off event April 29<sup>th</sup> for the Birthday Bash in April. Each Board member received an invitation in their packet.

- Reports of the Director and Assistant Director of Finance:
  - Director Maguire Heath reported that due to the amount of time needed for tonight's agenda, she would save her full report to the March 3<sup>rd</sup> meeting and just highlight a few things.
  - Director Maguire Heath congratulated Todd Murano and Paul Tomasian for taking our Boys Basketball team to the Championship at the ESDAA Division II Tournament in Maine. They traveled through snowy conditions. Director Maguire Heath has asked the team and coaches to attend the first 5 minutes of the March 3<sup>rd</sup> Board meeting so that we can congratulate the team and coaches.
  - A Pep Rally was held at the school to demonstrate the pride the School had in their achievement.
  - Director Maguire Heath stated the RIDE Quarterly Report was due tomorrow but we received an extension until Monday due to a death in Nancy's family. She will share this report with everyone at our March 3<sup>rd</sup> meeting. Director Maguire Heath will discuss reading levels, math levels, and attendance levels and all other requirements needed for the report.
  - Director Maguire Heath presented a summary of teacher proficiency in ASL after the most recent assessment. We are now at 75% full target proficiency in ASL for teacher, an important milestone.
  - Director Maguire Heath also asked everyone to look at the save- the date card for the 125<sup>th</sup> Birthday Kick Off Celebration. The formal invitations will be arriving soon. Legislators will also be mailed invitations.
  - Assistant Director Wu shared a letter written to the Budget Office. The letter is in regards to the need for a new activity bus and an 8- passenger van. We have not yet heard back from the Budget Office. The Governor will be submitting the budget by March 20, 2015.
  - Assistant Wu also stated that we are on track with our budget this year. We have had increased costs due to snow plowing and maintenance of the building. These costs are being monitored. No deficit is foreseen.
  - When the ASL interpreter arrived, Trustee Heather Niedbala questioned the Board whether Jonathan Henry, the interpreter, had a conflict of interest during tonight's meeting regarding personnel issues. Ms. Niedbala was concerned that a personal conflict could surface with his peers or colleagues. The Board was very appreciative of Mr. Henry's efforts to come to the meeting on very short notice and wanted to be sure that he and the Board were protected from any real or apparent conflict of interest. Director Maguire Heath reported that Mr. Henry is our school employee. However, he is not a member of the Teacher's Union or the collective bargaining unit. Mr. Henry is also an independent free lance interpreter in Rhode Island and Massachusetts and must abide by the Standard ASL Interpreter Code of Ethics. Mr. Henry does not typically interpret Board meetings but came when he heard that the Board members might not have full access to the proceedings without an interpreter present. Ms. Rapport saw no conflict with Mr. Henry being the interpreter for this meeting. Agreement to continue with Mr. Henry interpreting.

○ **Personnel Matters – Open Session**

- Chairperson Montgomery addressed the personnel issues on the agenda.
  - Marion Meadows a teacher at the RI School for the Deaf, has submitted her letter of retirement, effective June 30, 2015. She requested to address the Board: her comments are as follows:

Ms. Meadows, stated that she has been a teacher at the RI School for the Deaf for the last 27 years, and has seen many changes from curriculum to communication. She has been involved in professional development and adapted to all new research and teaching practices. Ms. Meadows felt that her opinion and experience mattered. She has been willing to learn and improve her ASL skills. However, after several attempts, she did not reach the Advanced level of proficiency and was notified that she could not hold her job next year. Ms. Meadows has taken classes to improve and did show improvement on the most recent ASLPI. Ms Meadows stated that her students' scores went up in math and reading and they are excited to come to school to learn. Communication had never been a factor before. Ms. Meadows also reported that she is on the blended learning team and has written a math grant and is a certified elementary math specialist. Ms. Meadow's felt that her 30 years of hard dedicated work in Deaf education was being disregarded based on a 20 minute language assessment, which deemed her ineffective. She noted that for her, there are severe consequences of a job loss as a result of a single assessment.
- John Anderson, serving as the attorney for the Board, introduced himself. He stated that Sara Rapport would be acting as the attorney for the administration. Mr. Anderson explained that the Board was present for a termination hearing of a different teacher. The Administration made a statement explaining why they are requesting the Board support the termination of a teacher. The teacher was provided the opportunity to make a statement in response. If the Board chooses to terminate the teacher, she or he has a right within 15 days to ask for another hearing before this Board, and the teacher will be able to ask questions of the Administration under oath, and there will be a court stenographer present. That is a more formal proceeding.
- Mr. Anderson mentioned that tonight all that will happen is the administration will make a statement, the teacher has the opportunity to respond and the Board has the opportunity to discuss. The teacher recommended for termination is Ms. Toby Liebowitz.
- Sara Rapport, the administration attorney, instructed the Board that they can ask Director Maguire Heath and Ms. Liebowitz questions before they converse with each other. She gave a summary for the basis of the recommendation by recounting some of the details of the legal underpinnings of the transformation plan. The Board was notified several years prior that the school was identified as a persistently low achieving school. In 2012 the Board, with the support of the teacher's union, selected the transformation model that would be adopted to address this low achievement. American Sign Language proficiency assessment was part of the transformation plan. The teachers were informed in the Spring of 2012 that sign language proficiency was going to be part of their evaluation.
- Ms. Liebowitz, a special education teacher, as well as a teacher of the deaf stated that she does not understand how a 20 minute assessment can determine termination. This is not due only to the transformation plan that was discussed by Ms. Rapport, but feels it is

also personal. Ms Liebowitz went on to say that she has been a dedicated teacher for many years. She described her certifications and classes she has taken. Ms. Liebowitz has volunteered for the after school club and taught summer school for the past five years. She and her students also pack 22 bags of food from the food bank that is distributed every Friday as part of community service.

- Chris Cobleigh, an attorney and union representative spoke next. He stated that both the law and the collective bargaining agreement require that before a tenured teacher can be terminated there must be just cause, which is also a legal requirement. He feels that a teacher's score on the ASL test does not, by itself, meet the standard of just cause for termination. A teacher's overall performance should also be looked into, as well as the performance of the students. Mr. Cobleigh stated that there is no indication that Ms. Liebowitz is not as effective as an Advanced level teacher. Mr. Cobleigh closed by stating that this is about student growth and learning.
- Vice Chairperson Merryman asked Mr. Cobleigh if there was any documentation that Ms. Liebowitz' students were doing better than other students. He did not and felt it was administration's job to provide this. Jonathan Henner, Board member, brought up the fact that when you become a certified teacher you must take a test first. Many competencies are required to be proved. How long should the students be asked to wait until Ms. Liebowicz becomes proficient to teach the Common Core content in ASL ? Mr. Cobleigh responded that Ms. Liebowitz is already a certified teacher, but now that certification does not mean anything because we are only concerned whether she is advanced in ASL.
- Chairperson Montgomery objected to Mr. Cobleigh saying he was telling us that this was an evaluation of all of Ms. Liebowitz qualities as a teacher. Chairperson Montgomery went on to clarify that it was about an unsatisfactory level of sign language proficiency, a requirement of the transformation of the school to help students achieve. Jane Newkirk, Board member, noted that many students have hearing parents who may not be strong signers, and school is the only location where deaf students get full access to the language they need to succeed. Students depend on their teachers, who should be advanced level language models, for learning ASL and for full access to information.
- Joseph Fischgrund, Board member, asked about the actual numbers represented by the faculty proficiency percentage previously mentioned. Assistant Director WU responded that there are two teachers at Intermediate, three teachers at Intermediate Plus; six at Advanced; eight at Superior; and one at Superior Plus=75% Teacher proficiency.
- After all speakers were finished, Chairperson Montgomery asked for a motion to vote on the Director's recommendation to proceed with the termination of Toby Liebowitz. Jonathan Henner motioned to accept the proposal from the Director. Danielle Loughlin seconded the vote. Mr. Anderson stated that an individual vote must be taken by the Board. Ms. Rapport informed the Board that they needed to do a roll call. The Board members voted to accept the Director's recommendation to terminate Toby Liebowitz as follows: Chairperson Montgomery yes; Jodi Merryman yes; Jonathan Henner yes; Jane Newkirk yes; Heather Niedbala yes; Danielle Loughlin yes; Joseph Fischgrund yes; Nora Meah, new member, abstained from voting. Lindsey Medeiros yes.

- Mr. Anderson reported that this matter is now concluded. A signed letter by Chairperson Montgomery will be sent out to Toby Liebowitz explaining what her rights are and the next steps if she chooses to exercise them.
- Chairperson Montgomery stated that this concluded the personnel matter and there was no further business on the agenda.

**Adjournment: 8:10 pm**